

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

Scotty R. Vaughan,)	
)	
Plaintiff,)	Civil Action No. 7:13-1783-TMC-KFM
)	
vs.)	ORDER
)	
Milliken and Company, Inc.,)	
)	
Defendant.)	
)	

Plaintiff filed this action alleging claims for violations of the Family and Medical Leave Act and breach of contract. In accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02, D.S.C., this matter was referred to a magistrate judge for pretrial handling. Before the court is the magistrate judge's Report and Recommendation ("Report"), recommending that Defendant's motion to dismiss Plaintiff's second cause of action for breach of contract be granted (ECF No. 5). Neither Plaintiff nor Defendant filed objections to the Report, and the time to do so has now run.

The Report has no presumptive weight and the responsibility to make a final determination in this matter remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). In the absence of objections, this court is not required to provide an explanation for adopting the Report. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Rather, "in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note).

After a thorough review of the Report and the record in this case, the court adopts the magistrate judge's Report (ECF No. 20) and incorporates it herein. It is therefore **ORDERED** that Defendant's motion to dismiss Plaintiff's second cause of action for breach of trust (ECF No. 5) is **GRANTED**.

IT IS SO ORDERED.

s/Timothy M. Cain
United States District Judge

January 30, 2014
Anderson, South Carolina